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SUBJECT: THE ROAD AND THE WALL: GETTING THE GOVERNMENT TO
TAKE THE LEADING ROLE ON ISSUES AFFECTING SERBS

Classified By: COM TINA KAIDANOW FOR REASONS 1.4 (B) AND (D).

¶1. (C) SUMMARY: Two issues that have seen recent negative developments -- plans to construct a road near the Decani Monastery, linking western Kosovo to Montenegro, and controversy over the building of a security wall around the Pec Patriarchate -- foreshadow the difficulties regarding implementation of Ahtisaari final status provisions that protect the Serbian Orthodox Church (SOC) in Kosovo. In both instances, the Kosovo government did the right thing, but only after significant intervention and prodding from us and other key internationals. Problems center on the failure of high-level officials, including PM Ceku, to take timely decisions that are communicated throughout the government, and the ability of municipal figures, such as the irresponsible mayor of Peja/Pec in western Kosovo, to (ab)use these issues to stir up local feeling against the SOC. The good news is that our Serb interlocutors on these matters are Father Sava and Bishop Teodosije, the moderate and pragmatic leaders of world-renowned Decani Monastery. But these two have their own difficulties trying to find acceptable solutions that do not put them at odds with their increasingly extremist church leadership in Kosovo and Belgrade. This situation was the main topic at a May 21 meeting chaired by SRSG Ruecker with Contact Group and International Civilian Office (ICO) planning team reps, at which all agreed that Ruecker should write to PM Ceku urging greater commitment by the government to resolve these problems on its own. The establishment of a transition group on church and religious heritage on May 24, jointly chaired by the ICO and the Ministry of Culture and including USOP, may also help prod the government to play the leading role on issues affecting Kosovo Serbs now and in the future. END SUMMARY.

The Decani Road: Tender? What tender?

¶2. (C) Rumors of Kosovo government plans to build a road linking Decani, in western Kosovo, to Montenegro and beyond have been around for some time. Meeting May 4 with COM, however, Father Sava and Bishop Teodosije of Decani Monastery expressed concern that such plans might now be in the offing and involve a road through the Monastery's Special Zoning

Area (SZA) or use of the current road that runs past the Monastery for heavy construction machinery -- both forbidden under an SRSG executive order and the Ahtisaari final status proposal. Using Google digital maps to make his case, Sava said the Monastery was not against the building of a road, but suggested a bypass solution that would not affect the SZA. Sava, noting that he had good relations with the Decani municipality, said he had shared this idea with the Decani mayor, and gotten some positive feedback, but remained worried nonetheless.

13. (C) In the ensuing days, we and other key internationals here, under the welcome leadership of the International Civilian Office (ICO) planning team, discovered that not only had a tender been let for the initial phase, it had already been won, and the Transportation Ministry was poised to sign a contract with the winner to begin construction of the first stretch. Although no one could produce the tender or the feasibility study that was reportedly done to support it, we learned that this first stretch was located north of the SZA proceeding to the nearby Montenegrin border. Upon approach by USOP, Transportation Minister Ahmeti and Labor Minister Selmanaj, a former mayor of Decani and knowledgeable about the project, could not assure us that this initial work would not violate the SRSG executive order against heavy construction machinery using the existing road in front of the Monastery.

14. (C) When the issue was raised with him by COM, PM Ceku claimed he had decided to cancel the tender and not allow any construction until a feasibility study was done based on the use of a bypass road that would not affect the SZA. But this decision apparently was not communicated to Transportation

PRISTINA 00000407 002 OF 003

Minister Ahmeti. Ahmeti, at a cordial meeting on May 18 at the Decani Monastery with Father Sava along with USOP and international community reps, seemed unaware of the PM's decision, but also promised not to begin any construction until the feasibility study was completed. At a May 16 strategy session at ICO PT headquarters, consensus among internationals was that all this opaque activity was perhaps meant to create "facts on the ground" that would erode the Monastery's position over time.

The Patriarchate Wall: Government gets moving only when prodded

15. (C) The building of a 3-meter stone security wall and gate around the Pec Patriarchate in western Kosovo is also not a new issue. Father Sava, who is involved in this matter as well, has said that the wall, which will replace unsightly sandbags and barbed wire, is necessary for the security of the nuns at the Patriarchate. In past months, Ali Lajci, the combative mayor of Peja/Pec, has had the municipality issue orders to stop construction, claiming the Patriarchate never filed a construction permit and that part of the construction, near the gate, was on municipal land. (Comment: Father Sava disputes this, saying the SOC does not need permission from the municipality to build on its land, and that the gate is within the Patriarchate's property. Neither UNMIK nor anyone else has ever made a definitive ruling either way. This presumably will be cleared up with implementation of the Ahtisaari Plan, which has a mechanism for determining such issues. End Comment.)

16. (C) Things became more tense in recent days when Lajci began issuing inflammatory statements, publicly calling for "not one stone more" to be added to the wall. On May 16, when USOP met with the CEO of Peja to discuss the matter, the municipality, unbeknownst to us, had already issued another stop order and work on the wall came to a halt. On May 17, USOP, along with other internationals, attended a meeting between Mayor Lajci and Bishop Teodosije and Father Sava. The meeting began cordially enough, but ended in clear disagreement and the refusal of Lajci to budge. On May 19,

Lajci took part in a roundtable with Self-Determination Movement (SDM) members, at which he again maintained that construction would not be allowed. Later that day, SDM led a small protest march to the Patriarchate, which ended without incident.

17. (C) The central government became involved only when we alerted Deputy PM Lutfi Haziri to this unhappy situation. Haziri met May 18 with Lajci in Peja, but could not get his agreement to allow the work to continue. The same day, Haziri sent a letter to SRSR Ruecker asking him to issue an executive order suspending the municipality's action, which Ruecker agreed to immediately. Although publicly conceding nothing, Lajci has told Haziri that he will not physically stop the construction, but will contest the central government's decision in the courts. Haziri's quick and welcome action resolved the immediate problem, but he has been on the defensive as Lajci has attacked the Kosovo government and the SRSR for taking the side of the Patriarchate against the "rule of law." (Comment: Lajci's position is laughable as Peja (and Kosovo in general) is brimming with examples of illegal construction. This context puts into question Lajci's motives in focusing on the Patriarchate. End Comment.)

Getting the government to act, not just react

18. (C) Referencing the two issues discussed above, how to get the government to resolve these problems on its own was the main topic at a May 21 meeting chaired by SRSR Ruecker with Contact Group heads of offices and ICO PT head Sohlstrom. The consensus was that Ruecker, on behalf of the CG and ICO PT, would write to PM Ceku asking for the government to demonstrate a greater commitment to take on issues affecting the Kosovo Serb community, and not to wait

PRISTINA 00000407 003 OF 003

passively for the internationals to urge action. ICO PT head Sohlstrom also noted that the establishment of a transition working group on church and religious heritage on May 24, chaired jointly by the ICO PT and the Ministry of Culture and including USOP, would also encourage the government to play the leading role.

19. (C) COMMENT: We can expect issues like the Decani road and the Patriarchate wall to crop up often during the implementation of the Ahtisaari final status proposal. Of course, the ICO's raison d'etre will be to ensure proper implementation of the Ahtisaari plan, but the Kosovo government's commitment to the Kosovo Serb community will ring hollow if the ICO, as the internationals do now, have to urge it to action at every turn. It is progress of a sort that the government generally does the right thing in the end -- when shoved hard -- but the time has come for PISG officials to step up forcefully on behalf of Kosovo Serb interests. END COMMENT.
KAIDANOW